

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Application of Georgia Business Net  
Telecommunications, LLC for a Certificate of Public  
Convenience and Necessity to Provide Local  
Exchange Service and Intrastate Interexchange  
Telecommunications Services within the State of  
South Carolina, for Flexible Rate Structure for Local  
Exchange Service Offerings First Approved in Docket  
No. 97-467-C and for Alternative Regulation First  
Approved in Docket No. 95-661-C

+

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET

NUMBER: 2009 - - C

(Please type or print)

Submitted by: John J. Pringle, Jr.

Address: Ellis, Lawhorne &amp; Sims, PA

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Columbia SC 29202

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Other:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input checked="" type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

# ELLIS:LAWHORNE

John J. Pringle, Jr.  
Direct dial: 803/343-1270  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)

December 7, 2009

## **FILED ELECTRONICALLY**

The Honorable Charles L.A. Terreni  
Chief Clerk  
**South Carolina Public Service Commission**  
Post Office Drawer 11649  
Columbia, South Carolina 29211

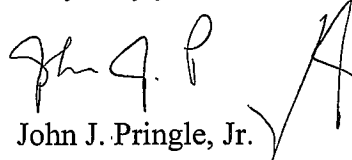
RE: Application of Georgia Business Net Telecommunications, LLC  
for a Certificate of Public Convenience and Necessity to Provide  
Local Exchange Service and Intrastate Interexchange  
Telecommunications Services within the State of South Carolina, for  
Flexible Rate Structure for Local Exchange Service Offerings First  
Approved in Docket No. 97-467-C and for Alternative Regulation First  
Approved in Docket No. 95-661-C  
**Docket No. 2009-\_\_\_\_-C, Our File No. 1993-11660**

Dear Mr. Terreni:

Enclosed is the **Application** filed on behalf of Georgia Business Net  
Telecommunications, LLC in the above-referenced matter.

If you have any questions or need additional information, please do not hesitate to  
contact me.

Very truly yours,

  
John J. Pringle, Jr.

JJP/cr

cc: Office of Regulatory Staff Legal Department (via electronic mail service)  
Roy D. Tritt, Esquire (via electronic mail service)

Enclosures

**BEFORE THE**  
**SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

IN RE: GEORGIA BUSINESS NET )  
TELECOMMUNICATIONS, LLC )  
 )  
APPLICATION OF GEORGIA BUSINESS NET )  
TELECOMMUNICATIONS, LLC )  
FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
TO PROVIDE LOCAL EXCHANGE SERVICE )  
AND INTRASTATE INTEREXCHANGE )  
TELECOMMUNICATIONS SERVICES )  
WITHIN THE STATE OF SOUTH CAROLINA, )  
FOR FLEXIBLE RATE STRUCTURE FOR )  
LOCAL EXCHANGE SERVICE OFFERINGS )  
FIRST APPROVED IN DOCKET NO. 97-467-C )  
AND FOR ALTERNATIVE REGULATION )  
FIRST APPROVED IN DOCKET NO. 95-661-C )

DOCKET NO. \_\_\_\_\_

**APPLICATION OF GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC**

GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC (“GABN Tel” or the “Applicant”), hereby applies to the South Carolina Public Service Commission (the “Commission”) for a Certificate of Public Convenience and Necessity, pursuant to S.C. Code Ann. §58-9-280(B), as amended, and the Commission’s Rules and Regulations, authorizing Applicant to provide facilities-based and resold local exchange and intrastate, interexchange telecommunications and data communications services within the State of South Carolina. In addition, Applicant requests that the Commission regulate its local exchange telecommunications services in accordance with the principles and procedures established for flexible regulation in Commission Order No. 98-165 in Docket No. 97-467-C. Pursuant to S.C. Code Ann. §58-9-585 and the general regulatory authority of the Commission, Applicant also requests that the Commission regulate its interexchange service offerings as described below in accordance with the principles and procedures established for

alternative regulation in Commission Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Commission Order No. 2001-997 in Docket No. 2000-407-C. Applicant further requests, pursuant to R. 103-601(3) of the Rules of the Commission, that the Commission waive the application of certain Commission Rules, as outlined herein.

In compliance with the Commission's Rules and Regulations, the following information is provided.

### **I. DESCRIPTION OF THE APPLICANT**

1. **Applicant's Name and Address.** Applicant's correct name and address are:

GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC  
P.O. Box 211006, Augusta, GA 30917-1006  
229 S. Belair Rd., Martinez, GA 30907  
Telephone: 706-823-2115  
Fax: 706-447-1899  
Toll free: 1-800-201-6349

2. **Applicant's Corporate Structure.** Applicant was organized under the laws of the State of Georgia on July 6, 2006. Applicant's Certificate of Existence is attached hereto at Exhibit "A". Applicant's Certificate of Authority to Transact Business in South Carolina is attached hereto as Exhibit "B".

3. **Applicant's Attorneys' Names and Addresses.** The correct names, addresses and telephone numbers of Applicant's attorneys are:

John J. Pringle, Jr., Esq.  
Ellis, Lawhorne & Sims, P.A.  
P.O. Box 2285  
Columbia, South Carolina 29202  
Telephone: (803) 343-1270  
Fax: (803) 799-8479

Roy D. Tritt, Esq.  
Warlick, Tritt, Stebbins & Murray, LLP  
P.O. Box 211006  
Augusta, GA 30917-1006  
Telephone: (706) 860-7595  
Fax: (706)860-7597

4. **South Carolina Offices.** Applicant does not maintain, and does not intend to maintain, an office in the State of South Carolina. Accordingly, the Company seeks permission, per Commission Rule 103-610, to keep its books and records at its corporate offices. Applicant's registered agent and address for service of process in the State of South Carolina is: Dr. Samuel Hardy, 9 Fox Creek Dr., North Augusta, SC 29860

5. **Related Billing and Customer Service Information.** Applicant intends to enter into direct billing arrangements with consumers in South Carolina. The charges, based upon the rates which will be set forth in Applicant's tariff, Applicant's name, and its toll free telephone number for customer assistance will appear on all invoices. In addition, consumers may contact Applicant's customer service representatives regarding a broad range of service matters, including: (i) the types of services offered by Applicant and the rates associated with such services; and (ii) problems or concerns pertaining to the consumer's current service. Applicant's customer service representatives will be available to assist consumers twenty-four (24) hours per day, seven (7) days per week.

6. **Geographic Area to Be Served.** Applicant proposes to serve the entire State of South Carolina to the fullest extent permitted by the laws of the State of South Carolina and the orders, rules and regulations of the Commission.

7. **Tariff.** Applicant proposes to offer local exchange and intrastate, long distance services within the State of South Carolina as further described in its proposed tariffs, attached hereto at

Exhibit “C”. Modifications to these tariffs, once approved, shall be made on such notice as is required by the Commission’s rules.

8. **Flexible Regulation of Local Exchange Services.** Applicant requests that the Commission allow Applicant to employ a flexible local exchange rate structure first authorized by Commission Order No. 98-165 in Docket No. 97-467-C. Specifically, Applicant requests that the Commission:

- (a) adopt for Applicant’s local exchange services a competitive rate structure incorporating maximum rate levels with flexibility for Applicant to adjust its rates below the maximum rate levels; and
- (b) permit Applicant’s local exchange service tariff filings to be presumed valid upon filing, subject to the Commission’s right within thirty (30) days to institute an investigation of such filings. At the discretion of the Commission, such filings would be suspended pending further order of the Commission and any such filings would be subject to the same monitoring process as is applied to other, similarly situated carriers.

9. **Alternative Regulation of Business Service Offerings.** Applicant requests that all of its business service offerings be regulated pursuant to the procedures described and set out in Commission Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, as modified by Commission Order No. 2001-997 in Docket No. 2000-407-C. It is Applicant’s intent by this request to have its business services regulated in the same manner as this Commission has permitted for AT&T Communications of the Southern States, Inc. (“AT&T”). Specifically, Applicant requests that the Commission:

- (a) remove the maximum rate tariff requirements for its business services, consumer card, operator service,<sup>1</sup> private line, and customer network-type offerings;
- (b) presume that the tariff filings for these uncapped services be valid upon filing. However, if the Commission institutes an investigation of a particular filing within seven (7) days, the tariff filing would be suspended until further order of the Commission; and
- (c) grant Applicant the same treatment as AT&T in connection with any future relaxation of the Commission's reporting requirements.

10. **Requested Waiver.** Commission Rule 103-601(3) provides that in “any case where compliance with any of these rules and regulations introduces unusual difficulty or where circumstances indicate that of waiver of one or more rules is otherwise appropriate, such rule or regulation may be waived by the commission upon a finding by the commission that such a waiver is not contrary to the public interest.” As described below, compliance with a particular Commission rule will “introduce unusual difficulty” for the Applicant. Additionally, Applicant asserts that granting the waiver requested herein is “not contrary to the public interest”.

Retention of Records (R. 103-611). Except to the extent that the Rules of the Federal Communications Commission require Applicant to keep certain of its books and records in accordance with the Uniform System of Accounts, Applicant requests that the Commission allow it to keep all other books and records in conformance with Generally Accepted Accounting Principles.

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<sup>1</sup> Excepting those operator-assisted calls where a consumer uses a local exchange carrier's calling card to complete calls from locations which have not selected the local exchange carrier as their toll provider. Operator surcharges and per-minute rates for this type of call were capped by Commission Order No. 2001-997, dated November 8, 2001.

### **III. APPLICANT'S TECHNICAL, FINANCIAL AND MANAGERIAL QUALIFICATIONS**

11. **Technical and Managerial Expertise.** Applicant has sufficient technical and managerial ability to provide the service for which authority is requested in this Application. A description of Applicant's management team is attached hereto at Exhibit "D". Applicant or Applicant's affiliates have filed, or are in the process of filing, applications for authority to provide the telecommunications and data communications services described herein throughout the United States. Neither Applicant nor its affiliates have been denied authority to provide intrastate telecommunications or data services in any state and have not been subject to any regulatory penalties for violating state or federal telecommunications statutes, rules or regulations (e.g., slamming).

12. **Financial Capability.** Applicant possesses sufficient financial capability to provide its local exchange and intrastate interexchange telecommunications and data communications services on a continuous basis. Attached as Exhibit "E" are the most current financial statements for the Applicant.

13. **Compliance with Laws.** By submitting this application, and by participating in all proceedings necessary to effect certification, Applicant hereby asserts its willingness and ability to comply with all rules and regulations that the Commission may impose subject to South Carolina law as now or hereafter enacted, including participation in the South Carolina Universal Service Fund. Accordingly, by this application, Applicant seeks such approval and authority as may be required for Applicant to provide local exchange and intrastate, interexchange voice and data services throughout the entire State of South Carolina.

14. **Procedure for Verifying Customer Ordered Changes.** Applicant intends to comply with



all state or federal telecommunications statutes, rules or regulations governing the processing, verification and implementation of customer-ordered changes.

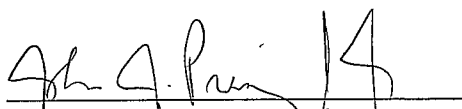
#### **IV. ARGUMENT IN SUPPORT OF APPLICATION**

15. **Public Interest, Convenience and Necessity.** Commission approval of the matters described in Applicant's Application is in the public interest. Grant of Applicant's request for authority to provide the telecommunications and data communications services described herein will increase competition for consumers of such services within the State of South Carolina. Competition, in turn, will encourage efforts by other certificated telecommunications providers to broaden the range of choices for South Carolina consumers of local exchange and long distance voice and data services. Applicant submits that, based on the information supplied herein, its proposed service offerings will provide South Carolina consumers with high quality telecommunications and data communications products and services at reasonable rates while encouraging innovation and efficiency among all providers of such products and services in the state.

**WHEREFORE**, Applicant respectfully requests that the Commission:

- (1) Issue a Certificate of Public Convenience and Necessity authorizing it to engage in the provision of facilities-based and resold local exchange and intrastate interexchange telecommunications and data communications services within the State of South Carolina (as described in this Application); and
- (2) grant any other and additional relief that the Commission may deem just and proper.

Respectfully submitted:



John J. Pringle, Jr., Esquire  
Ellis, Lawhorne & Sims, P.A.  
1501 Main Street, 5<sup>th</sup> Floor  
P.O. Box 2285  
Columbia, South Carolina 29202  
Telephone: (803) 343-1270  
Facsimile: (803) 799-8479  
[jpringle@ellislawhorne.com](mailto:jpringle@ellislawhorne.com)  
Attorneys for GEORGIA BUSINESS NET  
TELECOMMUNICATIONS, LLC

Columbia, South Carolina  
December 7, 2009

**EXHIBIT "A"**

**CERTIFICATE OF EXISTENCE**

# STATE OF GEORGIA

## Secretary of State

Corporations Division  
315 West Tower  
#2 Martin Luther King, Jr. Dr.  
Atlanta, Georgia 30334-1530

## CERTIFICATE OF EXISTENCE

I, Karen C Handel, Secretary of State and the Corporations Commissioner of the state of Georgia, hereby certify under the seal of my office that

### GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC

#### Domestic Limited Liability Company

was formed or was authorized to transact business on 07/06/2006 in Georgia. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.



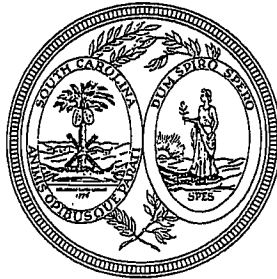
WITNESS my hand and official seal of the City of Atlanta and the State of Georgia on 13th day of October, 2009

Karen C Handel  
Secretary of State

**EXHIBIT "B"**

**CERTIFICATE OF AUTHORITY**

# *The State of South Carolina*



*Office of Secretary of State Mark Hammond*

## **Certificate of Authorization**

**I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:**

GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC, A Limited Liability Company duly organized under the laws of the State of GEORGIA, and issued a certificate of authority to transact business in South Carolina on October 22nd, 2009, with a duration that is at will, has as of this date filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed a certificate of cancellation as of the date hereof.

Given under my Hand and the Great  
Seal of the State of South Carolina this  
22nd day of October, 2009.

  
Mark Hammond, Secretary of State

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

OCT 22 2009

APPLICATION FOR A CERTIFICATE OF AUTHORITY  
BY A FOREIGN LIMITED LIABILITY COMPANY  
TO TRANSACT BUSINESS IN SOUTH CAROLINA

SECRETARY OF STATE OF SOUTH CAROLINA

TYPE OR PRINT CLEARLY WITH BLACK INK

The following Foreign Limited Liability Company applies for a Certificate of Authority to Transact Business in South Carolina in accordance with Section 33-44-1002 of the 1976 South Carolina Code of Laws, as amended.

1. The name of the foreign limited liability which complies with Section 33-44-1005 of the 1976 South Carolina Code as amended is Georgia Business Net Telecommunications, LLC

2. The name of the State or Country under whose law the company is organized is  
Georgia

3. The street address of the Limited Liability Company's principal office is

229 S. Belair Road

Street Address

Martinez, GA 30907

City

State

Zip Code

4. The address of the Limited Liability Company's current designated office in South Carolina is

9 Fox Creek Drive

Street Address

North Augusta, SC 29860

City

State

Zip Code

5. The street address of the Limited Liability Company's initial agent for service of process in South Carolina is

9 Fox Creek Drive

Street Address

North Augusta, SC 29860

City

State

Zip Code

and the name of the Limited Liability Company's agent for service of process at the address is

Samuel B. Hardy, III

Name

Signature

6. ☐ Check this box if the duration of the company is for a specified term, and if so, the period specified \_\_\_\_\_

091022-0002  
GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC

FILED: 10/22/2009

Filing Fee: \$110.00 ORIG



Mark Hammond

South Carolina Secretary of State

**EXHIBIT "C"**

**PROPOSED TARIFF**



Tariff Schedule Applicable to  
TELECOMMUNICATIONS SERVICES  
of  
**GEORGIA BUSINESS NET TELECOMMUNICATIONS, LLC**

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Date Filed: December 7, 2009

Effective:

*Issued By:*  
Georgia Business Net Telecommunications, LLC  
P.O. Box 211006  
Augusta, Georgia 30917-1006  
1-800-201-6349  
rtritt@wtsmlaw.com

**CHECK SHEET**

Sheets of this tariff as listed below are effective as of the date shown at the bottom of the respective sheet(s)

Sheet Number	Revision
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
12	Original
13	Original
14	Original
15	Original
16	Original
17	Original
18	Original
19	Original
20	Original
21	Original
22	Original
23	Original
24	Original
25	Original

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Date Filed: December 7, 2009

Effective:

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1-800-201-6349  
rtritt@wtsmlaw.com

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Effective: October 23, 2008

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rtritt@wtsmlaw.com

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Date Filed: December 7, 2009

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rtritt@wtsmlaw.com

**EXPLANATION OF SYMBOLS**

- (C) Indicates Changed Regulation
- (D) Indicates Discontinued Rate or Regulation
- (I) Indicates Rate Increase
- (M) Indicates Move in Location of Text
- (N) Indicates New Rate or Regulation
- (R) Indicates Rate Reduction
- (T) Indicates Change of Text Only

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Date Filed: December 7, 2009

Effective: October 23, 2008

*Issued By:*  
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rtritt@wtsmlaw.com

## **SECTION 1 - APPLICATION OF TARIFF**

### **1.0 APPLICATION OF TARIFF**

This Tariff sets forth the regulations and rates applicable to services provided by Georgia Business Net Telecommunications, LLC as follows:

The furnishing of intrastate communications services by virtue of one-way and/or two-way information transmission between points within the State of South Carolina.

#### **1.1 Service Territory**

Georgia Business Net Telecommunications, LLC will offer the services throughout the State of South Carolina.

#### **1.2 Availability**

Service is available where facilities permit.

## SECTION 2 – GENERAL RULES AND REGULATIONS

### 2.0 GENERAL RULES AND REGULATIONS

#### 2.1 Use of Facilities and Service

##### 2.1.1 Obligation of the Company

In furnishing facilities and service, the Company does not undertake to transmit messages, but furnishes the use of its facilities to its customers for communications.

The Company's obligation to furnish facilities and service is dependent upon its ability (a) to secure and retain, without unreasonable expense, suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment; (b) to secure and retain, without unreasonable expense, suitable space for its plant and facilities in the building where service is or will be provided to the customer; or (c) to secure reimbursement of all costs where the owner or operator of a building demands relocation or rearrangement of plant and facilities used in providing service therein.

The Company shall not be required to furnish, or continue to furnish, facilities or service where the circumstances are such that the proposed use of the facilities or service would tend to adversely affect the Company's plant, property or service.

The Company reserves the right to refuse an application for service made by a present or former customer who is indebted to the Company for service previously rendered pursuant to this Tariff until the indebtedness is satisfied.

##### 2.1.2 Limitations on Liability

###### a. Indemnification by Customer

The customer and any authorized or joint users, jointly and severally shall indemnify, defend and hold the Company harmless against claims,

## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

loss, damage, expense (including attorneys' fees and court costs) for libel, slander, or infringement of copyright arising from the material transmitted over its facilities; against claims for infringement of patents arising from combining with, or using in connection with, facilities of the Company, equipment and systems of the customer; and against all other claims arising out of any act or omission of the customer in connection with facilities provided by the Company or the customer.

### b. Customer-Provided Equipment

The service and facilities furnished by the Company are subject to the following limitations: the Company shall not be liable for damage arising out of mistakes, omissions, interruptions, delays, errors or defects in transmission or other injury, including but not limited to injuries to persons or property from voltages or currents transmitted over the facilities of the Company caused by customer-provided equipment or premises wire.

### c. Use of Facilities of Other Companies

When the facilities of other companies are used in establishing a connection, the Company is not liable for any act, error, omission, or interruption caused by the other company or their agents or employees. This includes the provision of a signaling system database by another company.

### 2.1.3 Use and Ownership of Equipment

The Company's equipment, apparatus, channels and lines shall be carefully used. Equipment furnished by the Company shall remain its property and shall be returned to the Company whenever requested, within a reasonable period following the request, in good condition, reasonable wear and tear accepted. The customer is required to reimburse the Company for any loss of, or damage to, the facilities or equipment on the customer's premises,

---

Date Filed: December 7, 2009

Effective:

*Issued By:*  
Georgia Business Net Telecommunications, LLC  
P.O. Box 211006  
Augusta, Georgia 30917-1006  
1-800-201-6349  
rtritt@wtsmlaw.com



---

## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

including loss or damage caused by agents, employees or independent contractors of the customer through any negligence.

### 2.1.4 Marketing Practices

As a telephone utility under the regulation of the Public Service Commission of South Carolina, the Company hereby asserts and affirms that as a reseller of intrastate telecommunications service, the Company will not indulge or participate in deceptive or misleading telecommunications marketing practices to the detriment of consumers in South Carolina, and the Company will comply with those marketing procedures, if any, set forth by the Public Service Commission. Additionally, the Company will be responsible for the marketing practices of its contracted telemarketers for compliance with this provision. The company understands that violation of this provision could result in a Rule to Show Cause as to the withdrawal of its certification to complete intrastate telecommunications traffic within the state of South Carolina.

## 2.2 Payment for Service Rendered

### 2.2.1 Responsibility for All Charges

Any applicant for facilities or service may be required to sign an application form requesting the Company to furnish the facilities or service in accordance with the rates, charges, rules and regulations from time to time in force and effect.

### 2.2.2 Deposits

Any applicant or customer whose financial responsibility is not established to the satisfaction of the Company may be required to deposit for service.

The fact that a deposit has been made shall in no way relieve the applicant or customer from complying with the Tariff regulations for the prompt payment of bills on presentation. Each applicant from whom a deposit is

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Date Filed: December 7, 2009

Effective:

*Issued By:*  
Georgia Business Net Telecommunications, LLC  
P.O. Box 211006  
Augusta, Georgia 30917-1006  
1-800-201-6349  
rtritt@wtsmlaw.com

## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

collected will be given a certificate of deposit and circular containing the terms and conditions applicable to deposits, in accordance with the Rules and Regulations of the Commission pertaining to customer deposits.

a. Interest on Deposits

Simple interest at the rate specified by the Commission shall be credited or paid to the customer while the Company holds the deposit.

b. Return of Deposit

When a deposit is to be returned, the customer may request that the full amount of the deposit be issued by check. If the customer requests that the full amount be credited to amounts owed the Company, the Company will process the transaction on the billing date and apply the deposit to any amount currently owed to the Company, and return any remaining amount of the deposit to the customer by check.

### 2.2.3 Payment of Charges

Charges for facilities and service, other than usage charges, are due monthly in advance. All other charges are payable upon request of the Company. Bills are due on the due date shown on the bill and are payable at any business office of the Company, by U.S. Mail, or at any location designated by the Company. If objection is not received by the Company within two months after the bill is rendered, the items and charges appearing thereon shall be determined to be correct and binding upon the customer. A bill will not be deemed correct and binding upon the customer if the Company has records on the basis of which an objection may be considered, or if the customer has in his or her possession such Company records. If objection results in a refund to the customer, such refund will be with interest at the greater of the unadjusted customer deposit rate or the applicable late payment rate, if any, for the service classification under which the customer was billed. Interest will be paid from the date when the customer overpayment was made, adjusted for any changes in the deposit rate or late

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## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

payment rate, compounded monthly, until the overpayment is refunded. Notwithstanding the foregoing, no interest will be paid by the Company on customer overpayments that are refunded within 30 days after the overpayment is received by the Company. All adjustments in Customer billing will conform to SC Reg. 103-623.

Where an objection to the bill involves a superseded service order, the items and charges appearing on the bill shall be deemed to be correct and binding upon the customer if objection is not received by the Company within two months after the bill is rendered.

### 2.2.4 Returned Check Charge

When a check which has been presented to the Company by a customer in payment for charges is returned by the bank, the customer shall be responsible for the payment of a Returned Check Charge. This charge will conform to SC Code Ann. § 34-11-70.

### 2.2.5 Late Payment Charges

- a. Customer bills for telephone service are due on the due date specified on the bill. A customer is in default unless payment is made within 15 days after the due date specified on the bill. If payment is not received by the customer's next billing date, a late payment charge of 1.5% will be applied to all amounts previously billed under this Tariff.
- b. Late payment charges do not apply to those portions (and only those portions) of unpaid balances that are associated with disputed amounts. Undisputed amounts on the same bill are subject to late payment charges if unpaid and carried forward to the next bill.
- c. Late payment charges do not apply to final accounts.

### 2.2.6 Customer Overpayments

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## **SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)**

The Company will provide interest on customer overpayments that are not refunded within 30 days of the date the Company receives the overpayment. An overpayment is considered to have occurred when payment in excess of the correct charges for service is made because of erroneous Company billing. The customer will be issued reimbursement for the overpayment, plus interest, or, if agreed to by the customer, credit for the amount will be provided on the next regular Company bill. The rate of interest shall be no less than the amount prescribed by the Commission.

Interest shall be paid from the date when overpayment was made, adjusted for any changes in the deposit rate or late payment rate, and compounded monthly, until the date when the overpayment is refunded. The date when overpayment is considered to have been made will be the date on which the customer's overpayment was originally recorded to the customer's account by the Company.

### **2.3 Access to Customer's Premises**

The customer shall be responsible for making arrangements or obtaining permission for safe and reasonable access for Company employees or agents of the Company to enter the premises of the customer or any joint user at any reasonable hour for the purpose of inspecting, repairing, testing or removing any part of the Company's facilities.

### **2.4 Suspension or Termination Of Service**

#### **2.4.1 Suspension or Termination for Nonpayment**

In the event that any bill rendered or any deposit required is not paid within 22 days of the date the bill is rendered, the Company may suspend service or terminate service until the bill or the required deposit has been paid. If service is suspended or terminated for nonpayment, the customer may be billed a connection charge as well as any payment due and any applicable deposits upon reconnection.

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**SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)**

- a. Termination shall not be made until at least 20 days after written notification has been mailed to the billing address of the customer.
- b. Suspension will not be made until at least 8 days after written notification has been mailed to the customer and 20 days before the termination notice.

Service will be terminated only on Monday through Thursday between the hours of 8:00 AM and 4:00 PM, unless provisions have been made to have someone available to accept payment and reconnect service. It shall not be suspended or terminated for nonpayment on weekends, public holidays, other federal and state holidays proclaimed by the President or the Governor, or on days when the main business office of the Company is not open for business, or during the periods from December 23rd through December 26th or December 30th through January 1st.

**2.4.2 Exceptions to Suspension and Termination**

Telephone service shall not be suspended or terminated for:

- a. Nonpayment of bills rendered for charges other than telephone service or deposits requested in connection with telephone service;
- b. Nonpayment for service for which a bill has not been rendered;
- c. Nonpayment for service which has not been rendered;
- d. Nonpayment of any billed charge which is in dispute or for the nonpayment of a deposit which is in dispute during the period before a determination of the dispute is made by the Company in accordance with Company's complaint handling procedures.

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## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

Telephone service may be suspended or terminated for nonpayment of the undisputed portion of a disputed bill or deposit if the customer does not pay the undisputed portion after being asked to do so.

- e. Nonpayment of any backbilled amounts.

### 2.4.3 Verification of Nonpayment

Telephone service shall not be suspended or terminated for nonpayment of a bill rendered or a required deposit unless:

- a. The Company has verified, in a manner approved by the Public Service Commission, that payment has not been received at any office of the Company or at any office of an authorized collection agent through the end of the period indicated in the notice, and
- b. The Company has checked the customer's account on the day that suspension or termination is to occur to determine whether payment has been posted to the customer's account as of the opening of business on that day.

### 2.4.4 Termination for Cause Other Than Nonpayment

- a. General

The Company, after notice in writing to the customer and after having given the customer an appropriate opportunity to respond to such notice, may terminate service and sever the connection(s) from the customer's premises under the following conditions:

- 1. in the event of prohibited, unlawful or improper use of the facilities or service, or any other violation by the customer of the rules and regulations governing the facilities and service furnished, or

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**SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)**

2. if, in the judgment of the Company, any use of the facilities or service by the customer may adversely affect the Company's personnel, plant, property or service. The Company shall have the right to take immediate action, including termination of the service and severing of the connection, without notice to the customer when injury or damage to telephone personnel, plant, property or service is occurring, or is likely to occur, or
  3. in the event of unauthorized use, where the customer fails to take reasonable steps to prevent the unauthorized use of the facilities or service received from the Company, or
  4. in the event that service is connected for a customer who is indebted to the Company for service or facilities previously furnished, that service may be terminated by the Company unless the customer satisfies the indebtedness within 20 days after written notification.
- b. Prohibited, Unlawful or Improper Use of the Facilities or Service

Prohibited, unlawful or improper use of the facilities or service includes, but is not limited to:

1. The use of facilities or service of the Company without payment of tariff charges;
2. Calling or permitting others to call another person or persons so frequently or at such times of the day or in such manner as to harass, frighten, abuse or torment such other person or persons;
3. The use of profane or obscene language;
4. The use of the service in such a manner such that it interferes with the service of other customers or prevents them from making or receiving calls;

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**SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)**

5. The use of a mechanical dialing device or recorded announcement equipment to seize a customer's line, thereby interfering with the customer's use of the service;
  6. Permitting fraudulent use.
- c. Abandonment or Unauthorized Use of Facilities
1. If it is determined that facilities have been abandoned, or are being used by unauthorized persons, or that the customer has failed to take reasonable steps to prevent unauthorized use, the Company may terminate telephone service.
  2. In the event that telephone service is terminated for abandonment of facilities or unauthorized use and service is subsequently restored to the same customer at the same location:
    - a. No charge shall apply for the period during which service had been terminated, and
    - b. Reconnection charges will apply when service is restored. However, no charge shall be made for reconnection if the service was terminated due to an error on the part of the Company.
- c. Change in the Company's Ability to Secure Access

Any change in the Company's ability (a) to secure and retain suitable facilities and rights for the construction and maintenance of the necessary circuits and equipment or (b) to secure and retain suitable space for its plant and facilities in the building where service is provided to the customer may require termination of a customer's service until such time as new arrangements can be made. No charges will be assessed the customer while service is terminated, and no connection charges will apply when the service is restored.

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## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

### 2.4.5 Emergency Termination of Service

The Company will immediately terminate the service of any customer, on request, when the customer has reasonable belief that the service is being used by an unauthorized person or persons. The Company may require that the request be submitted in writing as a follow-up to a request made by telephone.

### 2.5 Additional Provisions Applicable To Business Customers

#### 2.5.1 Deposits

Deposits will be returned to a business customer upon cancellation of service or after one year, whichever event occurs first, unless the customer is delinquent in payment, in which case the Company will continue to retain the deposit until the delinquency is satisfied. If a service is involuntarily discontinued, the deposit is applied against the final bill, and any balance is returned to the customer.

#### 2.5.2 Dishonored Checks

If a business customer who has received a notice of discontinuance pays the bill with a check that is subsequently dishonored, the account remains unpaid and the Company is not required to issue any additional notice before disconnecting service.

### 2.6 Allowances for Interruptions In Service

Interruptions in service, which are not due to the negligence of, or non-compliance with the provisions of this Tariff by the Customer, or the operation or malfunction of the facilities, power, or equipment provided by the Customer, will be credited to the Customer as set forth below for the part of the service that the interruption affects. A credit allowance will be made when an interruption occurs because of a failure of any component furnished by the Company under this Tariff.

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## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

### 2.6.1 Credit for Interruptions

- a. An interruption period begins when the Customer reports a service, facility, or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility, or circuit is operative. If the Customer reports a service, facility, or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.
- b. For calculating credit allowances, every month is considered to have 30 days. A credit allowance is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive a credit.

- c. Credit to Customer

Credits attributable to any billing period for interruptions of service shall not exceed the total charges for that period for the service and facilities furnished by the Company rendered useless or substantially impaired.

- d. "Interruption" Defined

For the purpose of applying this provision, the word "interruption" shall mean the inability to complete calls either incoming or outgoing or both due to equipment malfunction or human errors. "Interruption" does not include and no allowance shall be given for service difficulties such as slow dial tone, circuits busy or other network and/or switching capacity shortages. Nor shall the interruption allowance apply where service is interrupted by the negligence or willful act of the subscriber or where the Company, pursuant to the terms of the Tariff, suspends or terminates service because of nonpayment of bills due to the company, unlawful or improper use of the facilities or service, or any other reason covered by the Tariff. No allowance shall be made for interruptions

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## SECTION 2 – GENERAL RULES AND REGULATIONS (Continued)

due to electric power failure where, by the provisions of this Tariff, the subscriber is responsible for providing electric power. Allowance for interruptions of message rate service will not affect the subscriber's local call allowance during a given billing period.

### 2.6.2 Limitations on Credit Allowances

No credit allowance will be made for:

- a) interruptions due to the negligence of, or non-compliance with the provisions of this Tariff, by any party other than the Company, including but not limited to the customer, authorized user, or other common carriers connected to, or providing service connected to, the service of the Company or to the Company's facilities;
- b) interruptions due to the failure or malfunction of non-Company equipment, including service connected to customer provided electric power;
- c) interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
- d) interruptions of service during any period when the customer has released service to the Company for maintenance purposes or for implementation of a customer order for a change in service arrangements;
- e) interruptions of service due to circumstances or causes beyond the control of the Company.

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### SECTION 3 – SPECIAL ARRANGEMENTS

#### 3.0 SPECIAL ARRANGEMENTS

##### 3.1 Promotions

Reserved for future use.

##### 3.2 Individual Case Basis (ICB) Arrangements

In lieu of any rates otherwise set forth in this Tariff, rates and charges, including installation, special construction, and recurring charges, may be established at negotiated rates on an Individual Case Basis (ICB), taking into account such factors as the nature of the facilities and services, the costs of construction and operation, and the length of service commitment by the Customer, as long as the rates and charges are not less than Carrier's costs of providing the service. Such arrangements shall be considered Special Pricing Arrangements, the terms of which will be set forth in individual contracts or Customer Term Agreements. Specialized Pricing Arrangement rates or charges will be made available to similarly-situated Customers on comparable terms and conditions. Upon reasonable request, Carrier will make the terms of these contracts available to the Commission and its staff for review on a confidential and proprietary basis.

## SECTION 4 – EXPLANATION OF TERMS

### 4.0 EXPLANATION OF TERMS

#### ANALOG

A transmission method employing a continuous (rather than a pulsed or digital) electrical signal that varies in amplitude or frequency in response to changes of sound, light, position, etc., impressed on a transducer in the sending device.

#### AUTHORIZED USER

A person, corporation or other entity who is authorized by the Company's customer to utilize service provided by the Company to the customer. The customer is responsible for all charges incurred by an Authorized User.

#### CHANNEL

A point-to-point bi-directional path for digital transmission. A channel may be furnished in such a manner as the Company may elect, whether by wire, fiber optics, radio or a combination thereof and whether or not by means of single physical facility or route. One 1.544 Mbps Service is equivalent to 24 channels.

#### COMPANY

Georgia Business Net Telecommunications, LLC, unless otherwise clearly indicated from the context.

#### COMMISSION

The South Carolina Public Service Commission.

#### CUSTOMER

The person, firm, corporation, or other entity which orders service pursuant to this Tariff and utilizes service provided under Tariff by the Company. A customer is responsible for the payment of charges and for compliance with all terms of the Company's Tariff.

#### SECTION 4 – EXPLANATION OF TERMS (Continued)

##### DIGITAL

A method of storing, processing and transmitting information through the use of distinct electronic or optical pulses that represent the binary digits (bits) 0 and 1. Digital transmission/switching technologies employ a sequence of discrete, individually distinct pulses to represent information, as opposed to the continuously variable signal of analog technologies.

##### EXCHANGE

An area, consisting of one or more central office districts, within which a call between any two points is a local call.

##### EXCHANGE ACCESS LINE

A central office line furnished for direct or indirect access to the exchange system.

##### EXCHANGE SERVICE

The provision to the subscriber of access to the exchange system for the purpose of sending and receiving calls. This access is achieved through the provision of a central office line (exchange access line) between the central office and the subscriber's premises.

##### FINAL ACCOUNT

A customer whose service has been disconnected who has outstanding charges still owed to the Company.

##### INTERRUPTION

The inability to complete calls, either incoming or outgoing or both, due to Company facilities malfunction or human errors.

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**SECTION 4 – EXPLANATION OF TERMS (Continued)**

**JOINT USER**

A person, firm, or corporation which uses the telephone service of a subscriber as provided in Section 1 of the Tariff.

**LATA**

Local Access and Transport Area. The area within which the Company provides local and long distance ("intraLATA") service. For call to numbers outside this area ("interLATA") service is provided by long distance companies.

**LINK**

The physical facility from the network interface on an end-user's or carrier's premises to the point of interconnection on the main distribution frame of the Company's central office.

**LOCAL CALL**

A call which, if placed by a customer over the facilities of the Company, is not rated as a toll call.

**LOCAL CALLING AREA**

The area, consisting of one or more central office districts, within which a subscriber for exchange service may make telephone calls without a toll charge.

**LOCAL SERVICE**

Telephone exchange service within a local calling area.

**MOVE**

The disconnection of existing equipment at one location and reconnection of the same equipment at a new location in the same building or in a different building on the same premises.

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**SECTION 4 – EXPLANATION OF TERMS (Continued)**

**NODE**

The location to which digital channels are routed and where access is provided to such lines and associated equipment for testing.

**ORS**

The South Carolina Office of Regulatory Staff

**PREMISES**

The space occupied by a customer or authorized user in a building or buildings or contiguous property not separated by a public right of way.

**RAN**

A radio access node.

**RESALE OF SERVICE**

The subscription to communications service and facilities by one entity and the reoffering of communications service to others (with or without 'adding value') for profit.

**SHARING**

An arrangement in which several users collectively use communications service and facilities provided by a carrier, with each user paying a pro-rata share of the communication related costs.

**STATION**

Each telephone on a line and where no telephone associated with the line is provided on the same premises and in the same building, the first termination in station key equipment or a jack for use with a portable telephone.

**SUSPENSION**



#### **SECTION 4 – EXPLANATION OF TERMS (Continued)**

Suspension of service for nonpayment is interruption of outgoing service only. Suspension of service at the subscriber's request is interruption of both incoming and outgoing service.

##### **TELEPHONE CALL**

A voice connection between two or more telephone stations through the public switched exchange system.

##### **TERMINATION OF SERVICE**

Discontinuance of both incoming and outgoing service.

##### **TOLL CALL**

Any call extending beyond the local exchange of the originating caller which is rated on a toll schedule by the Company.

##### **TWO WAY**

A service attribute that includes DOD for outbound calls and can also be used to carry inbound calls to a central point for processing.

##### **USER**

A customer, joint user, or any other person authorized by a customer to use service provided under this Tariff.

## SECTION 5 – RATES AND CHARGES

### 5.0 RATES AND CHARGES

#### 1. Application of Rates

The Company intends to offer its services on an individual contract basis. All such contracts will be available for review by the South Carolina Office of Regulatory Staff upon request. Rates for radio frequency (“RF”) Transport Services apply to service furnished to business customers. RF Transport Services are not available to residential customers.

#### 2. Rates.

RESERVED FOR FUTURE USE

## **EXHIBIT "D"**

### **BIOGRAPHICAL INFORMATION** **REGARDING MANAGEMENT OF GEORGIA BUSINESS NET** **TELECOMMUNICATIONS, LLC**

- W. Clayton Colvin received a B.S.CmpE (Computer Engineering) from the Georgia Institute of Technology. Specializing in VLSI and Logic Design, he spent six years gaining experience in the manufacturing realm. Throughout that time frame, he managed multidiscipline engineering projects that included control system design, electrical engineering services, and industrial cost analysis and accounting. Since that period Mr. Colvin has spent his time in telecommunications and the data services industry. He started out managing a Network Operations Center, and in his most recent role had risen, through several promotions, to executive management over a regional I.T. services company. His relevant project and product work includes Cisco internetworking, RF wireless applications, and Unix/Linux administration. As President of Georgia Business Net Telecommunications, Colvin's responsibilities include strategic planning for the company's overall direction, as well as, operations & engineering executive management.
- Linda P. Tritt received a B.S. in Mathematics from the University of Georgia. After receiving her degree, she worked in data processing management and computer services for Lanier Business Products and TRW among others. Mrs. Tritt's most recent experience has been 14 years of managing the accounting operations and customer service relations of a regional I.T. services company. Mrs. Tritt, as secretary, has overseen accounting and customer relations for Georgia Business Net Telecommunications, LLC since its formation.
- Roy D. Tritt is an attorney and a founding partner in Warlick, Tritt, Stebbins, & Murray, LLC. Based in Augusta, Georgia for over 30 years, Mr. Tritt specializes in corporate planning and commercial real estate development and transactions. Mr. Tritt holds a B.B.A. cum laude in General Business from the University of Georgia. He received his J.D., cum laude, from University of Georgia in 1974. Mr. Tritt, as treasurer, has overseen executive management of financial operations for Georgia Business Net Telecommunications, LLC.
- Chris E. Landrum began his relevant work in experience in the paging industry over 10 years ago. As an engineering supervisor, Mr. Landrum oversaw the telecommunication, RF, data, and structural engineering elements for the southeastern region for several paging companies. For the last two years, Mr. Landrum has functioned as Field Operations Manager for a regional I.T. services company overseeing retail and wholesale customer implementations. His relevant product experience includes Cisco internetworking, Microsoft & Linux Server Administration, and RF Wireless Applications. Mr. Landrum fulfills the roles of Engineering Supervisor and Provisioning Coordinator for Georgia Business Net Telecommunications, LLC.

**EXHIBIT "E"**

**FINANCIAL STATEMENTS**

GABN Telecommunications, LLC  
Income Statement  
For the Eleven Months Ending November 30, 2009

	Current Month		Year to Date	
Revenues				
Wholesale Phone Service	\$ 16,265.27	100.00	\$ 124,685.90	100.00
Total Revenues	<u>16,265.27</u>	100.00	<u>124,685.90</u>	100.00
Cost of Sales				
Cost of Goods-Whsl. Phone	<u>5,683.71</u>	34.94	<u>39,743.08</u>	31.87
Total Cost of Sales	<u>5,683.71</u>	34.94	<u>39,743.08</u>	31.87
Gross Profit	<u>10,581.56</u>	65.06	<u>84,942.82</u>	68.13
Expenses				
Bank Charges	0.00	0.00	84.00	0.07
Contractor Expense	1,000.00	6.15	2,793.75	2.24
Insurance Expense	513.00	3.15	4,333.00	3.48
Interest Expense	0.00	0.00	2,733.78	2.19
Legal and Professional Expense	0.00	0.00	700.00	0.56
Management Fee	3,000.00	18.44	15,000.00	12.03
Other Taxes	0.00	0.00	582.47	0.47
Rent or Lease Expense	729.46	4.48	8,024.06	6.44
Telephone Expense-Internet	<u>285.26</u>	1.75	<u>10,333.50</u>	8.29
Total Expenses	<u>5,527.72</u>	33.98	<u>44,584.56</u>	35.76
Net Income	<u>\$ 5,053.84</u>	31.07	<u>\$ 40,358.26</u>	32.37

For Management Purposes Only

GABN Telecommunications, LLC  
Balance Sheet  
November 30, 2009

ASSETS

Current Assets		
First Bank Checking Account	\$	10,491.39
Accounts Receivable		28,265.27
		<hr/>
Total Current Assets		38,756.66
Property and Equipment		
Other Depreciable Property		44,112.02
		<hr/>
Total Property and Equipment		44,112.02
Other Assets		
		<hr/>
Total Other Assets		0.00
		<hr/>
Total Assets	\$	<u><u>82,868.68</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	10,211.43
First Bank		50,000.00
		<hr/>
Total Current Liabilities		60,211.43
Long-Term Liabilities		
		<hr/>
Total Long-Term Liabilities		0.00
		<hr/>
Total Liabilities		60,211.43
Capital		
Beginning Equity	(13,701.01)	
Members Draw	(4,000.00)	
Net Income	40,358.26	
		<hr/>
Total Capital		22,657.25
		<hr/>
Total Liabilities & Capital	\$	<u><u>82,868.68</u></u>

## NOTICE OF FILING AND HEARING

Georgia Business Net Telecommunications, LLC ("GABN Tel" or "Applicant") filed an Application with the Public Service Commission of South Carolina for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange and intrastate, interexchange telecommunications and data communications services using unbundled network combinations available from BellSouth Telecommunications, Inc. and via resold services throughout the state of South Carolina. Applicant requests that the Commission allow Applicant to employ a flexible local exchange rate structure first authorized by Commission Order No. 98-165 in Docket No. 97-467-C for its local exchange service offerings and allow alternative regulation first approved in Commission Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C and as modified by Commission Order No. 2001-997 in Docket No. 2000-407-C for its interexchange service offerings. GABN Tel may eventually provide local services via its own switching facilities and may also acquire services and facilities from other carriers operating in the State.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from John J. Pringle, Jr., Esquire, Ellis, Lawhorne & Sims, P.A., Post Office Box 2285, Columbia, South Carolina 29202.

**PLEASE TAKE NOTICE** that a hearing on the above matter has been scheduled to begin at \_\_\_\_\_, before Hearing Examiner David Butler, Esquire in the Commission's Law Library at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before \_\_\_\_\_, 2009, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. *Please refer to Docket No. 2009-\_\_\_\_-C.*

Any person who wishes to testify and present evidence at the hearing, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and John J. Pringle, Jr., Esquire, at the above address, on or before \_\_\_\_\_, 2009, and indicate the amount of time required for his presentation. *Please refer to 2009-\_\_\_\_-C.*

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before \_\_\_\_\_, 2009. *Please refer to Docket No. 2009-\_\_\_\_-C.*

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211

December \_\_\_\_ 09